

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BOOMJ.COM, *et al.*,

Plaintiffs,

v.

GEORGE PURSGLOVE,

Defendant.

Case No. 2:08-CV-00496-KJD-RJJ

ORDER

Presently before the Court is Defendant's Motion to Discharge Writ of Garnishment (#84). Though the time for doing so has passed, no response in opposition has been filed. Also before the Court is Defendant's Opposition (#95) to Motion for Judgment Against Garnishee for Failure to Answer Interrogatories.

Having read and considered Defendant's Motion to Discharge, the Court must deny it without prejudice. Local Rule ("LR") 5-1, Proof of Service, requires all papers required or permitted to be served to attach, when filed, written proof of service. Here, no such proof of service has been attached. Though LR 5-4 allows electronic service of documents, Defendant is still required to attach proof of electronic service. The Notice of Electronic Filing associated with Defendant's Motion (#84) demonstrates that the party-in-interest, Hutchinson & Steffen, LLC, was not served by

1 the Court electronically or by mail. Accordingly, Plaintiff's Motion to Discharge is **DENIED**
2 **without prejudice** in accordance with LR 5-1.

3 Defendant's Opposition (#95) references a Motion for Judgment Against Garnishee for
4 Failure to Answer Interrogatories supposedly filed by Hutchinson & Steffen, LLC on July 15, 2010.
5 However an examination of the Court's docket reveals that no motion was filed on July 15, 2010 and
6 that a Motion for Judgment has not been filed at all. Accordingly, to the extent the parties believe
7 such a motion is pending before the Court, it is **DENIED without prejudice**.

8 **IT IS SO ORDERED.**

9 DATED this 28th day of September 2010.

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13 Kent J. Dawson
14 United States District Judge
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